

REMARKS

Claims 1-12 and 14-24 are presently pending; claims 23 and 24 have been added.

The Examiner's indication that claims 3 and 6 would be allowable if rewritten in independent form is noted with appreciation. Claims 3 and 6 have been rewritten as new claims 23 and 24.

Claim 14 has been amended to address the rejection under 35 U.S.C. 112, second paragraph.

Claims 1, 7, 9, 14 and 16-22 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,798,549 to Hirsch. It is respectfully submitted that claims 1, 7, 9, 14 and 16-22, as presently recited, are not anticipated by Hirsch.

With respect to claims 1, 7, 9, 14 and 16, Hirsch does not disclose clamping perimeters of the upper and lower sheets of material followed by forming the upper and lower sheets of material to the interior of the first mold cavity following clamping of the perimeters of the upper and lower sheets of material to form a shell having a single hollow interior, as presently recited in claim 1, and by dependency in claims 7, 9, 14 and 16. Instead, the use of the stringer in Hirsch requires that "[w]hile the sheets forming the skin of the board are in place, a stringer is inserted in the lower mold..." (Col. 3, ll. 23-25.) If the sheets of Hirsch had their perimeters clamped prior to molding of the sheets, the stringer could not be inserted between the sheets and the "primary aspect" of Hirsch of a surfboard "built around a stringer" would be frustrated. (See Col. 1, ll. 46-50.)

With respect to claims 17, 18 and 22, Hirsch does not disclose the step of filling an entire shell with an expandable liquid material, as presently recited in claims 17, 18 and 22. Instead, Hirsch discloses filling the shell with Styrofoam pellets. Then after the mold is closed, steam is injected through the stringer and "causes the Styrofoam pellets to react, forming a foam filling the interior of the board" (Col. 3, ll. 61-68.) The use of the Styrofoam pellets in Hirsch does not provide the advantages of the presently claimed liquid material. For example, the pellets of Hirsch may not expand uniformly through the shell in a controlled manner, and some parts of the shell may be blocked by already-expanded pellets. In contrast, the expandable liquid material presently claimed can provide improved completeness in filling of the

core, and thus improved structural strength. For example, the present application describes that the "structural strength of the surfboard 10 is improved because the polyurethane is inserted into the surfboard 10 in a liquid state but quickly expands in order to form a rigid inner core 14 for the surfboard 10." (Page 11, ll. 1-4.)

With respect to claim 19, the surfboard of Hirsch has a stringer. Hirsch clearly requires the use of a stringer, as stated in its Summary and Objects of the Invention.

Claims 2, 4, 5, 8, 10, 11, 12 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hirsch in view of U.S. Patent No. 4,423,000 to Teraoka. Given the above discussion of Hirsch with respect to claim 1, from which claims 4, 5, 8, 10, 11, 12 and 15 depend, it is respectfully submitted that claims 4, 5, 8, 10, 11, 12 and 15 are not unpatentable over Hirsch in view of Teraoka.

For the reasons set forth above, claims 1-12 and 14-24 are believed to be allowable, and reconsideration and allowance of claims 1-12 and 14-24 are respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Date: August 3, 2006

s/Jon A. Birmingham/

Jon A. Birmingham

Registration No. 51,222

FITCH, EVEN, TABIN & FLANNERY
120 S. LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
Telephone: 312.577.7000
Facsimile: 312.577.7007

453454